## SECTION 3.3 USE CLASSIFICATION AND STANDARDS

For the purposes of this Bylaw, existing and future uses of land, buildings and other structures shall be allocated among the following categories. It is intended that every possible use be included in some category, and a use that does not readily fall into any category listed shall be included in the one to which it is most similar. Each use is assigned a number which is found in the left hand column of the following pages.

The Standards and Conditions column which is located to the right of the Use Classification column contains specific requirements which shall be met if the Use is to be permitted in any Zoning District by right, by Special Permit, or by Site Plan Review.

The column located to the right of the Standards and Conditions column indicates the Zoning Districts in which the specific Uses are permitted or prohibited. The following code is used in those columns:

Υ	=	Yes The Use is permitted by right in that Zoning District.
N	=	No The Use is not permitted in that Zoning District.
SPR	=	The Use is permitted with Site Plan Review (See Section 11.2)
SP	=	The Use is permitted with a Special Permit, by the Zoning Board of Appeals (See Section 10.3)
SPP	=	The Use is permitted with a Special Permit, by the Planning Board (See Section 10.3)
()	=	The Use, if located within the Aquifer Recharge Protection District (ARP) shall be subject to the code designation within the parenthesis.

	Land Use		Chandanda Q	R-O						Zor	ing Distr	ricts					
Number	Classifications	<b>i</b>	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
SECTION 3.3	1 EXTENSIVE US	ES															
3.310	Forestry and t products.	he harvesting of forest		Y	Υ	Υ	Y	Υ	Y	Υ	Y	Υ	Y	Υ	Υ	Υ	Y
3.311		et garden, nursery, or other use nmercial or other agricultural		Y	Y	Y	Y	Υ	Y	Υ	Y	Υ	Y	Υ	Y	Υ	Y
3.312	nursery, garde	farm stand for the sale of en or other agriculture produce cles of home manufacture from	Class I and Class II farm stands shall be located on a property a minimum of two annually generates at least \$1,000 per acre based on gross sales dollars, or, on						nat the sa	ale of pro	oducts pr	oduced <sup>·</sup>	from the	agricult	ural use o	of the pro	perty
	3.312	Class I Farm stand		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
			For produce grown during either June, July, August & September of every year, based on either gross sales dollars or volume, have been produced by the owne products for sale, based on either gross annual sales or annual volume, have be products for sale, based upon either gross annual sales or annual volume, have commercial agriculture, aquaculture, silviculture, horticulture (including the groon which the facility is located or by another, all as provided for under MGL Ch.	r or lessee of en produced been produc wing and kee	the land by the ov ed in Ma ping of n	on which vner or le ssachuse ursery ste	the faci essee of t tts on lar	lity is loca the land on the, other	ated. For on which than that	produce the facili t on whic	e generat ty is loca th the fac	ed with ted, and cility is lo	out regar I at least ocated, u	d to seas an additi sed for th	sons, at I onal 50 ¡ ne prima	east 25% percent o ry purpos	of such f such se of
	3.3121	Class II Farm stand		SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
			For produce grown during lune, July, August & Sentember of every year, or dur	ng the harves	t season	of the nr	imary cr	nn(s) rais	ed on lan	d of the	owner o	r lessee	at least	15% of th	ne nrodu	cts for sa	le shall
			For produce grown during June, July, August & September of every year, or dur be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the horticulture (including the growing and keeping of nursery stock and the sale the	For produce hich the facili at that on wh	generate ty is loca nich the f	d withou ted, and a acility is l	t regard at least a ocated, i	to seasor n additio used for t	ns, at leas nal 50 pe he prima	st 15% of rcent of ry purpo	such pro such pro se of con	ducts fo ducts fo nmercia	or sale, ba r sale, ba l agricult	ased on e sed upor ure, aqua	either gro n either g aculture,	oss annua gross ann silvicultu	il sales ual ire,
3.313		oultry or livestock farm, of pets for gainful	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the	For produce hich the facili at that on wh	generate ty is loca nich the f	d withou ted, and a acility is l	t regard at least a ocated, i	to seasor n additio used for t	ns, at leas nal 50 pe he prima	st 15% of rcent of ry purpo	such pro such pro se of con	ducts fo ducts fo nmercia	or sale, ba r sale, ba l agricult	ased on e sed upor ure, aqua	either gro n either g aculture,	oss annua gross ann silvicultu	il sales ual ire,
3.313	or the raising purposes.	oultry or livestock farm, of pets for gainful vildlife preserve, or	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the	For produce hich the facili at that on wh ereof), floricu	generate ty is loca nich the f	d withou ted, and a acility is l viticulture	t regard at least a ocated, u e, wheth	to seasor n additio used for t er by the	ns, at leas nal 50 pe he prima owner or	et 15% of ercent of ry purpo r lessee o	such pro such pro se of con of the lan	oducts for ducts fo mmercia ad on wh	or sale, bar sale, bar sale, bar sale, bar lagricult ich the fa	ased on e used upor ure, aqua acility is l	either gro n either g aculture, ocated c	oss annua gross ann silvicultu or by anot	il sales ual ire, :her.
	or the raising purposes.	oultry or livestock farm, of pets for gainful vildlife preserve, or ation use.	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the	For produce hich the facili at that on wh ereof), floricu Y	generate ty is loca nich the f ilture or v	d withou ted, and a acility is I viticulture N	t regard at least a ocated, u e, wheth	to seasor n additio used for t er by the	ns, at leas nal 50 pe he prima owner or	et 15% of ercent of ry purpo r lessee o	such pro such pro se of con of the lan	oducts for ducts for mmercia ad on wh	or sale, bar sale, bar sale, bal agricult ich the fa	ased on e sed upon ure, aqua acility is l	either gro n either g aculture, ocated c	oss annua gross ann silvicultu or by anot	il sales ual ire, :her.
3.314	or the raising purposes.  Reservation, vother conserv	oultry or livestock farm, of pets for gainful vildlife preserve, or ation use.	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the	For produce hich the facili at that on whereof), floricu	generate ty is loca nich the fa llture or v	d withou ted, and a acility is l witiculture  N	t regard at least a ocated, t e, wheth	to seasor n additio used for t er by the	ns, at leas nal 50 pe he prima owner or	st 15% of ercent of ry purpo r lessee o	such pro such pro se of con f the lan	oducts fo ducts fo nmercia ad on wh	or sale, bor sale, bar sale, bar sale, bar sale, bar sale, bar sale sale sale sale sale sale sale sale	ased on eased upon ure, aquacility is l	either gro n either g aculture, ocated c	oss annua gross ann silvicultu or by anot	al sales ual ure, cher.
3.314	or the raising purposes.  Reservation, vother conservoutdoor recree	oultry or livestock farm, of pets for gainful  vildlife preserve, or ation use. eational use  impoundment, flood ds, or other surface use	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the horticulture (including the growing and keeping of nursery stock and the sale the	For produce hich the facili at that on whereof), floricular Y  Y  SP  vities.  SP d federal regulars and surfaces and surf	generate ty is loca iich the f ilture or v  N  Y  SP  SP  sp  glations g face wate	d withou ted, and a acility is I viticulture  N  Y  N  SP  overning er impour	t regard at least a ocated, the property of th	n additions additions additions additions additions additions additions additions additions additionally addits additionally additionally additionally additionally additional	s, at leas nal 50 pe he prima owner or  N  Y  SP  SP  ood-relat obtained	tt 15% of treent of ry purpor r lessee of N Y SP SP ted, structured and main	such prosuch p	oducts for ducts for ducts for mercial don who who will be seen as a seen as	or sale, bor sal	nsed on eased upon ure, aquacility is leading to a second note that the	seither gronn either gronn eith	oss annuagross annuagros annuagross annuagross annuagro	sl sales ual ure, ther.  SP  Y  SP  SPR
3.314	or the raising purposes.  Reservation, vother conservoutdoor recree  Surface water retention ponwater storage	oultry or livestock farm, of pets for gainful vildlife preserve, or ation use. ational use impoundment, flood ds, or other surface use use.	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the horticulture (including the growing and keeping of nursery stock and the sale the horticulture shall be accessory to the operation of the outdoor recreation act.  Any use proposed under this section shall abide by all applicable local, state, an associated structures and site alterations, and all applicable permits governing.	For produce hich the facili at that on whereof), floricular Y  Y  SP  vities.  SP d federal regulars and surfaces and surf	generate ty is loca iich the f ilture or v  N  Y  SP  SP  sp  glations g face wate	d withou ted, and a acility is I viticulture  N  Y  N  SP  overning er impour	t regard at least a ocated, the property of th	n additions additions additions additions additions additions additions additions additions additionally addits additionally additionally additionally additionally additional	s, at leas nal 50 pe he prima owner or  N  Y  SP  SP  ood-relat obtained	tt 15% of treent of ry purpor r lessee of N Y SP SP ted, structured and main	such prosuch p	oducts for ducts for ducts for mercial don who who will be seen as a seen as	or sale, bor sal	nsed on eased upon ure, aquacility is leading to a second note that the	seither gronn either gronn eith	oss annuagross annuagros annuagross annuagross annuagro	sl sales ual ure, ther.  SP  Y  SP  SPR
3.314 3.315 3.316 3.317	or the raising purposes.  Reservation, vother conservoutdoor recre  Surface water retention ponwater storage water storage	oultry or livestock farm, of pets for gainful vildlife preserve, or ation use. ational use impoundment, flood ds, or other surface use use.	be produced by the owner or lessee of the land on which the facility is located. or annual volume, have been produced by the owner or lessee of the land on w sales or annual volume, have been produced in Massachusetts on land, other the horticulture (including the growing and keeping of nursery stock and the sale the horticulture shall be accessory to the operation of the outdoor recreation act.  Any use proposed under this section shall abide by all applicable local, state, an associated structures and site alterations, and all applicable permits governing.	For produce hich the facili at that on whereof), floricular Y  Y  SP  vities.  SP d federal regularms and surfrmit issued u  SP	generate ty is loca ich the f ilture or v  N  Y  SP  SP  slations g face wate nder this	d withou ted, and a acility is I viticulture  N  Y  N  SP  overning er impour section a	N  SP  environments and shall	N  SP  mental, fl shall be considered.	s, at leas nal 50 pe he prima owner or N Y SP SP ood-relat obtained dered a videred a	tt 15% of treent of ry purpor r lessee of N  Y  SP  SP  ted, struct and main iolation to the structure of the	such prosuch p	oducts for ducts for ducts for ducts for mmercia and on who who will be seen and for the formal	or sale, bor sale, sale, bor sale, b	ssed on e sed upor ure, aqua cility is l	seither gronn either gronn eith	oss annuagross annuagros annuagross annuagros annuagros	special sales ual ire, sher.

Bylaw	Land Use			R-O						Zoı	ning Dist	ricts					
Number	Classifications		Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
3.321	Two family detached dwelling (duplex)		Except as may otherwise be authorized under this section, a two-family dwellings in the surrounding neighborhood. In all districts, the Special construction, renovation, or expansion resulting in the creation of a ne family detached dwelling (duplex) is created.	Permit Granting Autho	rity or P	ermit Gra	anting Bo	ard, as a	pplicable	, shall ap	ply the	provision	s of Sect	tions 3.20	040 and 3	.2041 to	any
			Where the two dwelling units are arranged side by side, said units shall Permit Granting Authority or Permit Granting Board, as applicable, may continuously by a shared foundation, walls and roof. The Special Perm proposed duplex is compatible with the architecture and building and s	y allow a duplex where nit Granting Authority o	the two	units do Granting	not shar Board m	e a comr nay make	non wall such an	abutting allowand	habitabl	le space b	out are in	nstead co	nnected	structura	
	3.3210	Owner occupied duplex		SP	SP	SPR	SPR	N	N	N	N	SPR	N	N	N	N	N
				(N)	(N)												
			For an owner occupied duplex, one (1) or both of the dwelling units sen	rve as the principal resi	dence o	f one or r	more owi	ner(s) of	the prop	erty.							
	3.3211	Non-owner occupied duplex		SP	SP	SP	SP	N	N	N	N	SP	N	N	N	N	N
				(N)	(N)						( ) (			1 11:			
			For a non-owner occupied duplex, one (1) or both dwelling units are re category may be occupied by a total of more than four (4) unrelated pe		erves as	s the prin	cipai resi	dence of	one or m	nore owr	ier(s) or	tne prope	erty. No	aweiling	unit und	er this us	е
			The Special Permit Granting Authority shall require the ongoing service of the rental use as a condition of approval.	es of a qualified profess	ional ma	anageme	nt compa	ny, the p	resence	of an on-	-site mar	nager, or	similar p	provisions	s for pro	er manag	gement
			1 Name(s) and contact information shall be provided	d for the owner, any re	sponsibl	le rental p	property	manager	nent enti	ty, and a	t least o	ne on-site	e resider	nt.			
			2 A management plan as defined in the Rules and Re be a Response Plan describing the concrete steps t tenants.				-	-				-	•				
			In the R-G and R-VC Districts, a Special Permit gran may impose a review of compliance with special P-					-		f the sub	ject prop	perty, and	d the Spe	ecial Pern	nit Grant	ing Autho	rity
			Each non-owner-occupied duplex in a cluster subdivision shall require a	a Special Permit in all z	oning di	stricts.											
	3.3212	Affordable Duplex		SPR	SPR	SPR	SPR	N	N	N	N	SPR	N	N	N	N	N
				(SP)	(SP)												
			An affordable duplex shall be defined as a two family detached dwellin the Commonwealth's 40B Subsidized Housing Inventory (SHI) under the												-		ted on
3.322	Town House			N	N	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
			Each building shall be separated from other such buildings by a minimu	um of twenty (20) feet,	and hav	e no mor	e than te	n (10) dv	welling ur	nits.							
			The building(s) shall be connected with the public sewer system prior t 2) areas close to business, commercial, and educational districts, or 3)					, shall fal	l within o	one of th	e followi	ng areas:	1) area	s close to	heavily	traveled s	streets,
			A management plan, as defined in terms of form and content in the Ru any application made under this section. All dimensional regulations ir of Sections 3.2040 and 3.2041 to any construction, renovation, or expa	n Article 6 shall be obse	rved . I	n all distr	icts, the I	Permit G	ranting B	oard or S		-				-	
2 222	Apartments			N	N.	CD	CD.	NI.	CDD	SP	CD.	SP		N1	N.	N.	<b>N</b> 1
3.323	Apartments		The site or lot upon which one or more apartment buildings are proposed an area already developed for multi-family use.	sed shall be located: 1)	close to	a heavily	y traveled	l street o	or streets	٥.	to a bus		mmercia	al or educ	cational o	listrict, or	· 3) in
			Fach building shall have no fewer than 3, nor more than 24 dwelling un	nits Fach huilding shall	he conr	nected to	the nubl	ic sewer	system n	rior to o	ccunancy	v Dimens	ional re	gulations	in Articl	a 6 chall h	10

Each building shall have no fewer than 3, nor more than 24 dwelling units. Each building shall be connected to the public sewer system prior to occupancy. Dimensional regulations in Article 6 shall be observed. In addition, the following requirements shall apply:

Bylaw	Land Use		Standards &				R-O						Zor	ning Dist	ricts					
Number	Classifications		Conditions				R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			<u>District</u>	Add'l Side/R Yards per Flo	ear <u>Floor Area Ratio</u> oor		Minimum Natural O													
			R-G	2 ft.																
			B-L	2 ft.																
			B-VC	2 ft.																
			B-N	2 ft.	0.3		40%													
					Natural Open Space" shall include or recreational use in common by					-	_		-							
			No more than 50' Affordable (see A requirement. A m integral part of a	% of the total n rticle 12, Defini nanagement pla ny application u	ifinition are those areas devoted to umber of dwelling units shall be of tions), the Permit Granting Board o n, as defined in terms of form and on the this section. In all districts, the terminist in the creation of n	any one size (i.e or Special Permit content in the ru ne Permit Granti	. # of bedro Granting Aules and Re	ooms). Authori gulatio r Specia	. For projectity authorized ons adopted ial Permit G	ed to ac	t under t Permit G	he applic	able sectors	tion of th Special P	ne Bylaw Permit Gr	for this u	ise may which is the second se	waive or shall be i	modify tl	nis
3.324	Subdividable/C	Converted Dwellings			9															
	3.3240	Subdividable Dwelling (See Section 12.33, Definitions)					SP (N)	SP (N)	SP	SP	N	SP	SP	SP	SP	N	N	N	N	N
		(See Section 12.33, Demilitions)					(14)	(14)												
			1		le dwelling shall contain provisions dwelling. The total number of dwe	•			-											an a
			2		le dwelling shall meet all zoning re- ensional Regulations) of Article 6 a					-				nits allo	wed unde	er the Spe	ecial Per	mit. All ı	requirem	ents of
			3	At least one	of the dwelling units shall be and sl	hall remain own	er-occupie	d, whic	ich requirer	nent sha	all be mad	de a cond	ition of a	any Speci	ial Permi	t issued ι	under thi	s section	١.	
			4	This use sha	I not be permitted in the Aquifer R	echarge Protect	ion (ARP) o	r Wate	ershed Pro	tection (	WP) over	lay distri	cts.							
			5		ing a Special Permit for this use in t ses, both existing and permitted, in					ecial Peri	mit Grant	ting Auth	ority sha	ll find th	at the pr	oposed n	nultiple (	dwelling	use and t	he non-
			6		le dwelling shall be connected to the dynamics of the dynamics	•			•	nit Grant	ing Autho	ority may	authoriz	e the co	nstructio	on of a tw	o-family	subdivio	dable dwe	elling on
			7	The manage	ent plan as defined in the applicable ment plan shall be subject to reviev a subdividable dwelling, which revie	w and reapprova	al at a publi e a conditi	ic heari on of a	ring held by any Special	said Au Permit i	thority pr	rior to the	e issuanc ection.	e of a bu The sole	uilding pe purpose	ermit to in of said re	ncrease t eview sha	the numb all be the	ber of dw	elling

A landscape plan appropriate for the project shall be included in the application.

1,000 sq. ft.

2,000 sq. ft.

thereto.

use of occupants:

R-O, R-LD

8

of any changes in circumstances pertinent to said management plan that have occurred from the time of issuance of the Special Permit or any subsequent review pursuant to this requirement, and the extent to which the management plan should be modified as a result. Notice of hearing shall be provided in accordance with Mass. Gen. Laws, Chapter 40A. In addition to such notice, parties in interest as defined in Chapter 40A shall be provided with a summary of the approved management plan then in effect and any changes proposed

Subdividable dwellings in the R-O, R-LD, and R-N districts shall provide the following minimum areas of usable open space per dwelling unit on the same lot as said dwelling units, for the

Bylaw	Land Use		Standards &		R-O						Zon	ing Dist	ricts_					
Number	Classifications		Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			10	Provided all other requirements are met, a subdividable dwellin	g shall be	eligible f	or subsec	quent pro	ceeding	s in accor	rdance w	ith Secti	ion 3.324	1 (Conve	rted Dwe	elling) of	this byla	w.
			11	For a subdividable dwelling proposed on a lot within a Definitive Planning Board. For all other subdividable dwellings, the Specia									ipecial Pe	ermit Gra	nting Aut	hority s	nall be th	e
	3.3241	Converted Dwelling			SP	SP	SP	SP	N	SPR	SP	SP	SP	N	N	N	N	N
		(See Section 12.07, Definitions)			(N)	(N)												
			1	An existing residence, a structure attached to an existing resident which would apply to converted dwellings are met.	nce, or a	detached	structure	e, may b	e conver	ted into a	a dwellin	g unit or	units pr	ovided al	l other zo	oning red	uiremen	ts
			2	A converted dwelling use may involve the conversion of one or would otherwise be allowed under the provisions of Table 3, Dir property shall not exceed 4 in the R-G, R-VC, R-N, R-O, and R-L or Watershed Protection (WP) overlay districts shall not be per	mensiona D district:	l Regulati	ions, for t	he zonin	g district	(s) in que	stion. F	urther, t	he total	number o	of dwellin	g units o	n a giver	1
			3	In the B-L, B-VC and B-N districts, the Special Permit Granting Adwelling use would be mutually compatible with existing uses a										ection on	ly after fi	nding th	at the co	nverted
			4	There shall be no significant change in the exterior of the buildin of a building if such modification or alteration does not substant					-				-				n or alte	ration
			5	Except as hereinafter provided, no converted dwelling use shall Conversion may involve an entire residential structure, except t dwelling use, whether in one or more buildings, may result from elements or foundation. An exception shall be that up to forty building footprint with the remainder being the result of demoli Authority or Permit granting Board that two (2) or more of the	hat no mo n new bui percent (4 tion and	ore than toot Iding foot 10%) of gi reconstru	twenty pe tprint as v ross squa action wit	ercent (20 well as de re footag	0%) of the molition se of resu	e gross so and subsulting hab	quare fo sequent pitable sp	otage of reconstr ace may	resulting ruction o be pern	g habitab f an exist nitted, ind	ing struct	ture, inc o more t	uding str han 20%	of new
				a. The conversion addresses urgent and compelling issues o	f public s	afety or h	ealth.											
				b. The conversion results in the creation of a minimum of or	ne (1) dw	elling uni	t that is f	ully hand	icapped a	accessible	e under 1	he prov	isions of	the AAB	and ADA.			
				c. The conversion results in the creation of a minimum of or on the Commonwealth's 40B Subsidized Housing Inventor										.12 or 15	.13, and i	is eligible	to be co	ounted
				d. The conversion is predominantly the result of sustainable significant amounts of existing structural members and a				-			-	improve	ements in	n energy	efficiency	, retent	on or rei	use of
				e. If the conversion is proposed for one or more historic bui Register of Historic Places, or 4) have been determined by of historic portions of the building(s) in question shall cor	y the Hist	orical Co	mmission	to be his	storically	significa	nt under	Section	13.4 of t	his Bylaw	, then th	e propo		
			6	The proposed conversion shall be suitably located in the neighb residential district, shall either: a) be located in an area that is of family use and shall require owner-occupancy or a Resident Ma owner-occupied, a requirement which shall be made a condition	close to h nager (se	eavily tra e definitio	veled stre	eets, close of the u	e to busi nits; or b	ness, con be fror	nmercia	and edu	ucational	districts,	or alrea	dy devel	oped for	multi-
			7	The dwelling units shall be connected to the public sewer. Howe structure to allow an increase from one dwelling unit to two dw		•		-			rize, wit	n the ap	proval of	the Boar	d of Hea	lth, the o	onversio	n of a

	Land Use		Chandar I C		R-O						Zon	ing Distr	ricts					
Number	Classifications		Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			8	The Special Permit Granting Authority may modify the dimens one (1) additional unit, only if it finds the modification would dwellings are not permitted, conversion of a non-conforming state.	e in accor	dance wit	h the pro	visions	of Sectio	n 9.22. In	those z	oning dis	stricts wh	ere two	family de	etached		ıdd
			9	No detached structure shall be converted under the provisions square feet of habitable space. Conversion of a detached stru 5.011.														
			10	A management plan as defined in the Rules and Regulations ac	opted by t	he Specia	l Permit G	Granting	Authori	ty, shall be	e include	ed as an	integral p	oart of an	y applica	ation.		
			11	A landscape plan appropriate for the project shall be included	n the appli	cation.												
			12	Converted dwellings in the R-O and the R-LD districts shall protect the R-N district shall provide a minimum of 1,000 sq. ft. of us					able ope	n space pe	er dwell	ng unit f	for the us	e of occu	upants. (	Converte	ed dwelling	ţs in
3.325	Mixed-use building				N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
			A mixed-use build and lawful access	fing shall be a building containing dwelling unit(s) in combination ory use(s).	vith permi	tted retai	, business	s, institu	utional, g	overnmer	nt, publi	service	, consum	er servic	e, office	or simil	ır principa	l use(s)
			section. In those section of the byl	lan, as defined in terms of form and content in the Rules and Reg Limited Business (B-L) Districts not abutting the B-G District, and i aw shall be required wherever proposed residential uses above the espect to the site and potential conflicts between the residential	the Comr e first floo	nercial (C r exceed t	OM) Distr ten (10) d	rict, a Sp	pecial Per	mit from	the Spe	cial Pern	nit Grant	ing Autho	ority auth	norized t	to act unde	er this
			customarily used associated with a	al (COM) District no dwelling unit nor any internal space associate by the public. First floor residential dwelling units, and any requir nd serving those units. No more than forty percent (40%) of the f ed with or incidental to, whether for storage, required entries, st	ed entries f rst floor Gr	thereto, s oss Floor	hall be loo Area shal	cated o	n the rea ed for res	r of buildi sidential p	ngs, adj urposes	acent to , which s	any requ shall inclu	ired park	ing and	private (	open space	2
3.326	Fraternity or Sorority b dormitory, or similar us	O,			N	N	N	N	SPR	N	N	N	N	N	N	N	N	N
	Amherst College, Hamp			be connected to the public sewer system prior to occupancy. Its														
	or the University of Ma	ccachucottc	Areas close to he	avily traveled streets; areas close to business, commercial, and ed	ucational o	districts; a	reas alrea	ady dev	eloped fo	or multifai	mily use	•						
		issaciiusetts.																
		issaciiusetts.	A management pl section.	lan, as defined in terms of form and content in the Rules and Reg	lations add	opted by t	he Permi	t Granti	ing Autho	ority shall	be inclu	ded as a	n integra	l part of a	any appli	ication r	nade unde	r this
3.327	Overnight Lodging	issaciiusetts.		lan, as defined in terms of form and content in the Rules and Regr	lations add	opted by t	he Permi	t Granti	ing Autho	ority shall	be inclu	ded as a	n integra	l part of a	any appli	ication r	nade unde	r this
3.327		otel or Motel		lan, as defined in terms of form and content in the Rules and Regr	lations add	opted by t	he Permi	it Granti N	ing Autho	ority shall	be inclu	ded as a	n integra	I part of a	any appli N	ication r	nade unde	r this N
3.327			section.  The building shall	be connected with the public sewer system prior to occupancy.	N ts lot, if in	N a residenc	N	N	N	SP	SP	SP	SP	SP	N	N	N	N
3.327			section.  The building shall close to business,		N ts lot, if in r multifam	N a residenc illy use.	N	N	N	SP	SP	SP	SP	SP	N	N	N	N
3.327			The building shall close to business,	be connected with the public sewer system prior to occupancy. commercial and educational districts; areas already developed for	N ts lot, if in r multifam shall be po	N a residend illy use. ermitted.	N ce district	N :, shall f	N all within	SP one of th	SP e follow	SP ing area	SP is: areas (	SP close to h	N neavily tr	N aveled s	N treets; are	N eas
3.327			The building shall close to business, In the B-N District The Zoning Board	be connected with the public sewer system prior to occupancy.  commercial and educational districts; areas already developed for the control of the control	N r multifam shall be po g with hote	N a residencily use. ermitted. el/motel-i	N ce district related re	N :, shall fa	N all within	SP one of th	SP e follow s as acce	SP ring area	SP is: areas o	SP close to h	N Jeavily tr	N aveled s t for a ho	N treets; are	N eas

Bylaw	Land Use	Chandanda O	R-O						Zo	ning Dist	ricts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		In the COM District, Inns shall be allowed only in those areas which are also	o within the bound	aries of N	National I	Historic F	Register D	Districts.								
		The Zoning Board of Appeals may allow a restaurant as a second Principal u	use, along with inn	related r	retail and	l consum	er servic	es as acc	essory u	ses, unde	er a Speci	ial Permi	t for an i	nn. A ma	ınagemei	nt plan,
		as defined in terms of form and content by the Rules and Regulations adop													Ü	. ,
	3.327.2 Hostel		SP	SP	SP	SP	SP	SPR	SP	SP	SPR	SPR	N	N	N	N
		The building shall be connected with the public sewer prior to occupancy.														
		The hostel shall be within easy walking distance of public transportation.														
		The moster small be within easy warking distance of public transportation.  The owner or manager of the hostel shall reside on the premises.														
		There shall be no separate cooking facilities in guest rooms. Meals may be	nrovided to hoste	l Indgers	and to o	thar nare	ons atte	ndina scl	nadulad i	aducation	nal event	e enoneo	red by a	nd hald a	t the hos	tol .
		There shall be no separate cooking facilities in guest rooms. Weats may be	e provided to noste	i lougei s	and to o	ther pers	sons atte	nuing sci	ieuuieu (	cuucatioi	iai everit	s sponso	red by a	nu neiu a	t the nos	itei.
		In the R-G, R-N, R-O and R-LD Districts, a hostel may provide up to 20 beds.	. In all districts who	ere the u	se is allo	wed, a m	inimum (	of 20 per	cent of h	nostel be	ds shall b	e in roor	ns conta	ining 2-4	beds.	
		Secure bicycle parking and/or storage shall be provided, with a total capaci	ity equal to or exce	eding the	e numbe	r of park	ing space	s require	ed for ve	hicles.						
		A management plan, as defined in terms of form and content in the Rules a	and Regulations ad	opted by	the Zoni	ng Board	of Appe	als, shall	be part	of any ap	plication	made ur	nder this	section.		
3.328	Congregate housing for the elderly		N	N	SP	SP	N	N	N	SP	SP	SP	N	N	N	N
5.525	and disabled. (See Section 12.06,				3.	J.					5.	J.				
	Definitions)	The minimum lot area shall be 12,000 sq. ft. or 1,000 sq. ft. multiplied by the	he number of sleen	ing room	ns which	over is ar	astar Th	a huildir	na chall h	e connec	tod with	the nubl	lic sawar	system r	orior to	
		occupancy. Its lot shall fall within one of the following areas: areas close t		-		_			-							ifamily
		use.														
3.329	Lodging or boarding house		N	N	SP	N	N	SPR	SP	SP	SP	SP	N	N	N	N
		In the B-VC, B-N, COM and R-VC districts, the Zoning Board of Appeals may	grant a Special Pe	mit for a	lodging	or board	ling house	e, provid	ed it find	ls that th	e propos	al meets	the prov	visions of	Article 7	',
		Section 10.38 and this section. In the R-VC District, a lodging or boarding h	nouse shall let or su	blet no n	nore thai	n a total	of 7 roon	ns.								
		There shall be no separate cooking facilities. Meals may be provided to loc	dgers/boarders/roo	mers, bu	ut not to	member	s of the g	general p	ublic not	lodged a	at the est	tablishme	ent.			
		The owner or manager of the lodging or boarding house shall reside on the	e premises.													
		Where a lodging or boarding house is to be located in an existing dwelling,	there shall be no s	ubstantia	al change	in the e	xterior of	the buil	ding.							
		The building shall be connected to the public sewer prior to occupancy. A n shall be part of any application made under this section.	management plan,	as define	ed in term	ns of forn	n and cor	ntent in 1	he Rules	and Reg	ulations	adopted	by the Z	oning Boa	ard of Ap	peals
SECTION	INSTITUTIONAL USES															
3.33																
3.330	Non-profit Uses															
	3.330.0 Non-profit educational institution, including any educational use on		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
	land owned or leased by the															
	land owned or leased by the Commonwealth or any of its	See Section 2.04 and 3.21														
	land owned or leased by the	See Section 2.04 and 3.21														

Bylaw	Land Use		R-O						Zo	ning Disti	ricts_					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
	3.330.1 Non-profit human service	Conditions	SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	SPR	SPR	SPR	SP	SP
	use.															
		Uses under this section may include administrative offices and human service areas for off-site service delivery and facilities reasonably necessary for the s		-				f the com	nmunity	on or fror	n the pre	emises, ir	ncluding	facilities	used as s	staging
		A use under this section may offer a wide range of services on or from the prand clothing, provision of meals, and/or restrooms/shower facilities.	remises, including	g but not	limited t	o, couns	eling and	l therapy	, training	g for emp	loyment	and othe	er life ski	lls, distri	bution of	food
		Other uses, such as retail sales, health services, personal care services, or sin accessory and incidental to the principal non-profit human service use.	nilar uses, may b	e permitt	ted, but s	hall be o	perated	in a man	ner and	during su	ch limite	d hours a	as to ren	der them	clearly	
		Non-profit human service uses involving overnight shelter or other residentia	al activity shall be	regulate	ed under	Section	3.336.1.									
3.331	Kindergarten, day nursery or other agency for the day care of children.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.332	For-profit trade, professional, or other educational institution.		N	N	SP	SP	N	SPR	SPR	SPR	SPR	SPR	N	N	SPR	N
3.333	Church or other place of worship, parish house, rectory, or convent.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.334	Not for profit library or museum.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.335	Public park, playground or other public recreation facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.336	Medical or residential institutions.															
	3.336.0 For-profit hospital, sanitarium, nursing, rest or convalescent home, living care community, or other medical or residential facility.		SP	SP	SP	SP	N	SP	SP	SP	SP	N	SP	N	N	N
	3.336.1 Philanthropic or charitable medical or residential facility.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
3.337	Cemetery		SP	SP	N	N	N	N	N	N	N	N	N	N	N	N
3.338	Private lodge or club		SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	N	N	N	N	N
		A club, civic, social, professional or fraternal organization that is non-profit a The organization shall be incorporated for service or charitable purposes und														siness.
		In the B-N District, if alcohol is served as part of any function conducted or policy $11:\!30~\mathrm{p.m.}$	ermitted by the o	organizat	ion, the e	establish	ment sha	II be clos	sed by 9:	00 p.m.; c	therwis	e, the est	tablishm	ent shall	be closed	d by
3.339	Service building or other non- academic facility related to the operation of Amherst College, Hampshire College, or the University of Massachusetts.		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR
		Owned or managed by a College or University, but located outside of any Edu	ucational District													1
SECTION	GOVERNMENTAL & PUBLIC SERVICE	2 . 2														

Bylaw	Land Use	Standards &	R-O						Zon	ing Distr	icts			•		
Number	Classifications	Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
3.34											_					
3.340	Utility Uses															
	3.340.0 Transformer station or other energy facility or use.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SPR	SP	SP
		Excluding any office, storage, or repair use unless otherwise allowed by the regulation	ons of the	district.												
	3.340.1 Telephone exchange, radio or TV station, broadcasting facility, recording studio or		SP	SP	SP	SP	SP	SPR	SPR	SPR	SP	SPR	SP	SP	SP	SP
	other communication use.	Excluding any office, storage, or repair use unless otherwise allowed by the regulation	ons of the	district.												
	3.340.2 Wireless communications		SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP	SP
	facility or other similar communications use.		31	31	31	51	31	51	31	51	31	31	5,	51	31	5,

Excluding any office, storage, or repair use unless otherwise allowed by the regulations of the district.

The following standards and conditions shall apply to commercial and public wireless communication uses and facilities:

- Setback & Height. Towers, antenna, antenna support structures and other vertical elements of wireless communication facilities located in a residential district or upon a property abutting a residential use shall be set back from the nearest residential lot line a distance at least equal to their height. In all districts, the height of wireless communications towers shall not exceed 125 feet above the ground. In non-residential districts, the Permit Granting Authority may allow a lesser setback or greater height if such modification provides adequate safety, promotes co-location or improves design, and will not significantly impact the character and appearance of the neighborhood. In making a request for a lesser setback, the manufacturer or qualified licensed designer shall certify that the tower is designed to collapse upon itself in the event of failure. The Permit Granting Authority may also allow lesser setbacks necessary to allow for the use of an existing structure.
- 2 Design provisions for such facilities shall include, but are not limited to:
  - a. No new tower shall be used which involves a lattice construction, requires three (3) or more legs and/or requires guy wire supports.
  - b. No tower or other facility structure shall contain any signs or other devices for the purpose of advertisement.
  - c. The visible portions of support facilities and structures such as vaults, equipment buildings or enclosures and utilities shall be constructed out of and/or finished with non-reflective materials.
  - d. All towers, antenna, antenna support structures and similar facilities shall be of neutral colors that are harmonious with, and blend with, the natural features, buildings and structures in the surroundings; provided, however, that such facilities located on the exterior of a building shall be of colors that match and/or blend with those of the building.
  - e. All building-mounted facilities shall be designed and located so as to appear to be an integral part of the existing architecture of the building.
  - f. All electronic and other related equipment and appurtenances necessary for the operation of any wireless communication facility shall, whenever possible, be located within a lawfully pre-existing structure or completely below grade. When a new structure is required to house such equipment, the siting, design and materials of said structure shall be harmonious with, and blend with, the natural features, buildings and structures in the surroundings.
  - g. All satellite dishes shall be of mesh construction, unless technical evidence is submitted demonstrating that this requirement is infeasible. Microwave dishes are exempted from this provision.
  - h. All wireless communication facilities shall be protected against unauthorized climbing or other access by the public.
  - i. Whenever feasible, design and siting of towers shall avoid the need for application of Federal Aviation Administration (FAA) lighting and painting requirements. Except as required by the FAA, towers shall not be artificially lighted.

Bylaw	Land Use	0.110	R-O						Zon	ing Distr	icts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

- Applicants shall submit eight (8) view lines shown in a one (1) mile radius from the site, beginning at true North and continuing clockwise at forty-five (45) degree intervals. Said view lines shall, to the extent feasible, be taken from existing vantage points commonly used by the public, such as public ways, buildings or facilities. The submittal shall include unaltered photographs taken from eye level (5 feet above grade) which show the existing condition of these view lines, as well as accurate scale perspective elevation drawings, computer-altered photographs or other accurate representations showing said view lines with the facility in place.
- k. Landscape plans submitted with the application shall identify all existing vegetation, shall indicate which vegetation is to be retained on-site, and shall show all proposed new vegetation and other landscape treatments.

## 3 Co-location.

- a. All new wireless communication facilities shall be co-located, to the maximum extent practicable and technologically feasible, with one or more existing wireless communication facilities, towers, buildings or other structures whose height, location and characteristics meet the needs of the proposed facility.
- b. All new wireless communication towers or support structures shall be designed, to the maximum extent practicable and technologically feasible, for co-location of antennas and other necessary facilities for at least three other wireless communication providers, shall offer space to all other providers at market rates, and shall provide for towers that can be expanded upward. Any Special Permit granted for a new facility under this section may be conditioned upon the written agreement of the facility operator to allow the colocation of other wireless communication providers on commercially reasonable terms.
- c. Any applicant proposing not to co-locate their facility or proposing to locate their facility in a residential district shall provide written evidence and documentation demonstrating why it is not feasible for their facility to be co-located with existing facilities or sited in other, non-residential districts.
- Frequencies. All telecommunications facilities shall be operated only at Federal Communications Commission (FCC) designated frequencies, power levels and standards, including FCC Radio Frequency Emissions standards. The applicant shall provide certification demonstrating that the maximum allowable frequencies, power levels and standards will not be exceeded. Certifications shall include technical specifications, a written explanation of those specifications, and, if necessary, field verification. The Permit Granting Authority may condition any Special Permit granted under this section upon a periodic submittal of certification of compliance with said standards.
- Repair & Upkeep. All wireless communication facilities shall be maintained in good order and repair. Paint finishes shall be maintained and repaired when blemishes are visible from the property line. The applicant shall provide an inspection schedule, and shall file copies of inspections with the Building Commissioner.
- 6 License & Permits. The operator of every wireless communication facility shall submit to the Building Commissioner copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of said facility, and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.
- Removal. All structures associated with a wireless communications use shall be removed within one (1) year of the cessation of said use. If applicable, an annual certification demonstrating continued compliance with the standards of the Federal Communications Commission, Federal Aviation Administration and the American National Standards Institute, including provisions for required maintenance, shall be filed with the Building Commissioner by the permit holder. Prior to the issuance of a building permit for a wireless communications use, the applicant shall post and submit a bond or other financial surety acceptable to the Town in an amount sufficient to cover the cost of demolishing and/or removing the facility in the event the Building Commissioner condemns the property or deems it to have been abandoned or vacant for more than one year. Said amount shall be certified by an engineer, architect or other qualified professional registered to practice in the Commonwealth of Massachusetts. In the event the posted amount does not cover the cost of demolition and/or removal, the Town may place a lien upon the property covering the difference in cost.
- Modifications. The Permit Granting Authority may modify any provision of these standards and conditions if it can be demonstrated that it is technically infeasible to meet said standards or conditions, or that their effect is to prohibit the proposed use throughout the Town, or if such modification will promote use of existing buildings or structures, co-location of wireless communications uses, improve safety or design, or otherwise promote the purposes of this bylaw.

Bylaw	Land Use		Standards &	R-O						Zoi	ning Dist	ricts					
Number	Classifications		Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
	3.340.3 Tran	sportation Facility															
	3.34	0.30 Railroad or bus depot or other transportation facility.		SP	SP	SP	SP	SP	SP	SP	SP	SP	SPR	SP	SP	SP	SP
			Excluding any office, storage, or repair use unless otherwise allowed by the regul	ations of the	district												
	3.34	0.31 Taxicab, limousine service and similar uses.		N	N	N	N	N	SPR	SP	SPR	SP	SPR	SP	SP	SP	N
			The operation of a taxi or limousine (livery) service shall be considered a principal from or delivered to the site, or; 2) three (3) or more vehicles are physically disprinciples associated vehicle maintenance and repairs.	atched from	or stored	d on-site,	or; 3) an	y vehicle	carries r	nore tha	n eight (	8) passen	gers, or;	4) on-sit	e activiti	es includ	le
			The operation of taxicab or limousine service may be permitted as as a business to dispatch and storage of no more than two (2) vehicles, 2) no vehicle used by the and 4) no passengers visit the premises.									-					
			In the B-N District, if pick-up and drop-off from the site are permitted, the establ site at any time.	shment shal	l be close	ed by 9:00	p.m. In	that dist	rict, no i	more tha	n three (	3) vehicl	es associa	ated with	n the use	shall be	kept on
3.341	Airport or helip	port		SP	SP	N	N	N	SP	SP	N	N	SP	N	SP	N	N
				(N)	(N)												
3.342	Governmental building; fire or			SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N
3.343		nping station buildings; nent plant, or water		SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SP
3.344	Other governm specifically liste			SP	SP	SP	SP	SP	SPR	SPR	SPR	SPR	SPR	SP	SP	SP	SP
SECTION 3.3	5 RETAIL BUSINE SERVICES	ESS AND CONSUMER															
3.350	Retail Establish	nments															
	3.350.0	Retail stores		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
			Display & sales to be primarily conducted within the building.														1
			In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up faci	lities are	permitte	d as an a	ccessory	use for t	food reta	il only, a	nd the es	stablishm	ent shall	l be close	ed by 9:0	) p.m.
	3.350.1	Convenience stores for the sale of prepared and		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		packaged food or beverage.	Display & sales to be primarily conducted within the building.														l
			In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up faci	lities are	permitte	d as an a	ccessory	use for 1	food reta	il only, a	nd the es	stablishm	ent shall	l be close	ed by 9:0	Ͻ p.m.
	3.350.2	Grocery, bakery, deli, butcher shop, fish market, caterer or	Display & sales to be primarily conducted within the building.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		similar establishment for the production and sale of food and beverage.	In the B-N District, no more than four (4) employees shall be on-site at any time,	walk-up faci	lities are	permitte	d as an a	ccessory	use for 1	food reta	il only, a	nd the es	stablishm	ent shall	l be close	ed by 9:0	ງ p.m.
3.351	Personal care e	establishments.															

Bylaw	Land Use		Standards 9	R-O						Zon	ing Dist	ricts					
Number	Classifications		Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
	3.351.0	Barber or beauty shop, hair salon, tanning salon or similar place for personal care services.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
			In the B-N District, no more than four (4) employees shall be on-site at any time,	and the esta	blishmer	nt shall be	closed	by 9:00 p	.m.								
	3.351.1	Laundry or dry-cleaning		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		shop, or self-service dry- cleaning or laundry.	In the B-N District, no more than four (4) employees shall be on-site at any time, may be operated in the B-N District.	and the esta	blishmer	nt shall be	closed	by 9:00 p	.m. No d	ry-cleani	ng shop	where th	ne cleanii	ng is con	ducted o	n the pre	mises
	3.351.2	Tailor, garment maker,		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
		milliner, cobbler, or other shop for the repair	In the B-N District, no more than four (4) employees shall be on-site at any time,	and the esta	blishmer	nt shall be	closed	by 9:00 p	.m.								
		or manufacture and sale of clothing or footwear.															
3.352	Food & Drink Estab	lishments															
	3.352.0 Class I	Restaurant, café, lunchroom, cafeteria or similar place.		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
			as defined in terms of form and content by the permit granting board or authorit									-				-	t plan, ss
			as defined in terms of form and content by the permit granting board or authorit patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.	y, shall be in service of fo O seats, bot	cluded a od or be h indoor	s an integ verages o and outd	gral part outside tl	of any ap ne buildin vice of al	plication g shall be cohol sha	made ur e to perso all cease	nder this ons seato at 9:00 p	section. ed at tab	The mar les for th any outs	nagemen ne purpo: side wall	t plan sh se of out of a buil	all addres door dini ding occu	ng. pied by
	3.352.1 Class II	Restaurant or bar	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell	y, shall be in service of fo O seats, bot	cluded a od or be h indoor	s an integ verages o and outd	gral part outside tl	of any ap ne buildin vice of al	plication g shall be cohol sha	made ur e to perso all cease	nder this ons seato at 9:00 p	section. ed at tab	The mar les for th any outs	nagemen ne purpo: side wall	t plan sh se of out of a buil	all addres door dini ding occu	ng. pied by
	3.352.1 Class II		patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell	y, shall be in service of for one of seats, bot one of the seats, bot one of the seats, bot one of the seats	cluded a od or be h indoor dence dis N en after ocated 1! integral	s an integ verages of and outd strict. Wa N 11:30 p.r. 50 feet or part of an	gral part outside the oor. Sen alk-up fa N n. whether less fro y applica	of any ap ne buildin vice of al cilities ma N er alcoho m any res tition mac	plication g shall be cohol sha ay be per SP ol is serve idential of	made ur e to perso all cease mitted as SP ed or not, dwelling it this secti	at 9:00 ps an accessory or; b) rein a Resident. The	section. ed at tab  o.m., and essory us  N  egardless dence die	The mar les for the any outs e in conce SP s of hours strict. A rement pla	side wall ert with  N s of oper managen an shall a	t plan sh se of out  of a buil outdoor  N  ation, whent plan ddress p	all addres door dini ding occu dining or N nere alcol	pied by the Nhol is led in
	3.352.1 Class II  3.352.2 Class III	bar	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.  For serving food or beverage to persons inside the building, where: a) the establishment and any outside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be income.	y, shall be in service of for one of seats, bot one of the seats, bot one of the seats, bot one of the seats	cluded a od or be h indoor dence dis N en after ocated 1! integral	s an integ verages of and outd strict. Wa N 11:30 p.r. 50 feet or part of an	gral part outside the oor. Set alk-up fa N n. whether less fro y applica	of any ap ne buildin vice of al cilities ma N er alcoho m any res tition mac	plication g shall be cohol sha ay be per SP ol is serve idential of	made ur e to perso all cease mitted as SP ed or not, dwelling it this secti	at 9:00 ps an accessory or; b) rein a Resident. The	section. ed at tab  o.m., and essory us  N  egardless dence die	The mar les for the any outs e in conce SP s of hours strict. A rement pla	side wall ert with  N s of oper managen an shall a	t plan sh se of out  of a buil outdoor  N  ation, whent plan ddress p	all addres door dini ding occu dining or N nere alcol	pied by the Nhol is led in
		bar Drive-up	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.  For serving food or beverage to persons inside the building, where: a) the establishment and any outside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be income.	y, shall be in vervice of fo 0 seats, bot ng in a Resin N hment is op shment is louded as an veverages on	cluded a od or be h indoor dence dis N here after proceded 1! integral putside th	s an integ verages of and outd strict. Wa N 11:30 p.r 50 feet or oart of an e building	gral part outside the oor. Ser alk-up fa N n. whether less fro y applica y shall be	of any ap ne buildin vice of al cilities ma N er alcoho m any res ation mac to perso	plication g shall be cohol sha ay be per  SP of is serve idential of the under ns seated  N	made ur e to perso all cease mitted as SP ed or not, dwelling i this secti d at table	at 9:00 ps an accessory or; b) rein a Resident. The	section. ed at tab  o.m., and essory us  N  egardless dence die	The mar les for the any outs e in conce SP s of hours strict. A rement pla	side wall ert with  N s of oper managen an shall a	t plan sh se of out  of a buil outdoor  N  ation, whent plan ddress p	all addres door dini ding occu dining or N nere alcol	pied by the Nhol is led in
3.353	3.352.2 Class III  Theater, motion pi bowling alley, danc other indoor comn	Drive-up restaurant cture house, te hall, arcade or	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.  For serving food or beverage to persons inside the building, where: a) the establishment and outside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be incoutdoors on the property, including those awaiting entry. Any service of food or located food or beverages outside the building via a drive-up window or other lands of the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to be permitted only if determined to be compatible with the office Park District to the property, including the other park District to the property, including the other park District to the property and the other park District t	y, shall be in service of foo o seats, bot ong in a Resident N  hment is opshment is leaded as an everages of N  er similar me	cluded a od or be h indoor dence dis N en after ocated 1! integral putside th N ethod to N t of said	s an integ verages of and outd strict. Wa N 11:30 p.r. 50 feet or poart of an e building N persons r	gral part putside the putside	of any ap ne buildin vice of al cilities ma  N er alcoho n any res ation mac to perso  N g in their  N es allowa	plication g shall be cohol sha by be per SP I is serve idential cle under ns seated N vehicles.	made ur e to perso all cease mitted as SP ed or not, dwelling i this secti d at table	at 9:00 ps an accessory at 9:00 ps an accessory property of the season o	section. ed at tab  b.m., and essory us  N egardless dence die e manage e purpose  N	The mariles for the any outselve in concession of hours strict. A rement place of outded SP	side wall eert with  N s of oper nanagen an shall a oor dinir  N SP	t plan sh se of out of a buil outdoor  N ation, wh eent plan ddress p	all addres door dini ding occu dining or N neere alcol, as definatrons ga	pied by n the  N  Noll is seed in thered  N  N  N  N  N  N  N  N  area
3.353	3.352.2 Class III  Theater, motion pi bowling alley, dance	Drive-up restaurant cture house, te hall, arcade or	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.  For serving food or beverage to persons inside the building, where: a) the establishment and youtside wall of that portion of the building occupied by the establishment of form and content by the permit granting board or authority, shall be incoutdoors on the property, including those awaiting entry. Any service of food or left.  For serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages outside the building via a drive-up window or other serving food or beverages of the servi	y, shall be in ervice of foo o seats, bot ong in a Residual of the residual of the residual of the residual of the resimilar more resimilar more of the re	cluded a od or be h indoor dence dis N een after ocated 1: integral putside th N ethod to N tof said the tuseabt devices	s an integverages of and outdetrict. Was not some some some some some some some some	gral part putside the putside	of any ap ne buildin vice of al cilities ma  N  er alcoho m any res ation mac to perso  N g in their  N  es allowa vable in s nbership	plication g shall be cohol sha ay be per SP ol is serve idential cle under ns seated N vehicles.  SP sp ble there uch an ai use. An a	made ur e to perso all cease mitted as SP ed or not, dwelling i this secti d at table N SP ein; and f rea be so automati	at 9:00 ps an accessor of the series of the	section. ed at tab  o.m., and essory us  N egardless dence die e manage e purpose  N  N  N  N  nat in suc	The mariles for the any outset in concession of the strict. A rement place of outded SP	side wall ert with  N s of oper managen an shall a oor dinir  N SP t no mored as: pri	t plan sh se of out of a buil outdoor  N ation, whent plan ddress pag.  N  N e than 2	all addres door dini ding occu dining or N neere alcolu, as definatrons ga	pied by n the  N  Noll is seed in thered  N  N  N  N  N  N  N  N  N  N  N  N  N
3.353	3.352.2 Class III  Theater, motion pi bowling alley, danc other indoor comn	Drive-up restaurant cture house, se hall, arcade or nercial amusement	patrons gathered outdoors on the property, including those awaiting entry. Any  In the B-N District, for a Class I restaurant there shall be no more than a total of 3 the establishment shall be located more than 100 feet from any residential dwell premises.  For serving food or beverage to persons inside the building, where: a) the establishment shall be discounted by the establishment of form and content by the permit granting board or authority, shall be incoutdoors on the property, including those awaiting entry. Any service of food or located by the establishment of the property, including those awaiting entry. Any service of food or located by the establishment of the property, including those awaiting entry. Any service of food or located by the permit granting board or authority, shall be incoutdoors on the property, including those awaiting entry. Any service of food or located by the establishment of the property including those awaiting entry. Any service of food or located by the establishment of the property including those awaiting entry. Any service of food or located by the establishment of the property including those awaiting entry. Any service of food or located by the establishment of the property including those awaiting entry. Any service of food or located by the establishment of the estab	y, shall be in ervice of foo o seats, bot ong in a Residual of the residual of the residual of the residual of the resimilar more resimilar more of the re	cluded a od or be h indoor dence dis N een after ocated 1: integral putside th N ethod to N tof said the tuseabt devices	s an integverages of and outdetrict. Was not some some some some some some some some	gral part putside the putside	of any ap ne buildin vice of al cilities ma  N  er alcoho m any res ation mac to perso  N g in their  N  es allowa vable in s nbership	plication g shall be cohol sha ay be per SP ol is serve idential cle under ns seated N vehicles.  SP sp ble there uch an ai use. An a	made ur e to perso all cease mitted as SP ed or not, dwelling i this secti d at table N SP ein; and f rea be so automati	at 9:00 ps an accessor of the series of the	section. ed at tab  o.m., and essory us  N egardless dence die e manage e purpose  N  N  N  N  nat in suc	The mariles for the any outset in concession of the strict. A rement place of outded SP	side wall ert with  N s of oper managen an shall a oor dinir  N SP t no mored as: pri	t plan sh se of out of a buil outdoor  N ation, whent plan ddress pag.  N  N e than 2	all addres door dini ding occu dining or N neere alcolu, as definatrons ga	pied by n the  N  Noll is seed in thered  N  N  N  N  N  N  N  N  N  N  N  N  N

Bylaw	Land Use			R-O						<u>Zor</u>	ning Dist	ricts					
Number	Classificatio	ns	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
	3.355.0 Ph	notographer's studio		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
	3.355.1 Re	epair shop for household		N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
	aŗ	opliances, radio and															
		levision sets, or office quipment.															
3.356		cycle mechanic, printer, puilder, carpenter,		N	N	N	N	N	SP	SP	SP	SPR	SPR	N	N	N	N
	caterer, elec	trician, lawnmower															
		lason, painter, plumber, ner member of a															
	recognized t																
			All work and storage to be conducted within a building.														
			All trades shop operations shall undertake all reasonable measures to prevent noi operations shall be allowed which are hazardous by reason of potential fire, explo					m creati	ng a distu	urbance (	or nuisar	nce beyo	nd the lin	nits of th	e establi	shment.	No
			In the B-N District, there shall be no more than four (4) employees on-site at any g	iven time.	No opera	ations sha	all be allo	owed prio	or to 7:00	a.m. or	after 7:0	00 p.m.					
3.357		stablishment, kennel, or		SP	N	N	N	N	N	SP	N	SP	SPR	N	N	N	N
	place for the	boarding of animals.			(N)												
			In the B-N District, a veterinary clinic may be operated under the provisions of this employees on-site at any given time, and the establishment shall be closed by 7:00		ut no ken	nel or ov	ernight b	ooarding	of anima	ls shall b	e permit	ted. The	ere shall b	e no mo	re than f	our (4)	
3.358	Office Uses																
	3.358.0	Bank, loan agency, real estate, insurance or		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N
		other business or	In the B-N District, no drive-through facilities shall be permitted. There shall be no	more than	ı six (6) e	mployees	on-site	at any gi	ven time	, and the	establis	hment sh	nall be clo	osed by 7	:00 p.m.		
		professional office providing services to the															
		public in person on the															
		premises.			l												
	3.358.1	Technical or professional office such as architect,	For the privaces of this section the public shall be defined as including all payers	N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SP	SPR	N
		engineer, lawyer, financial services, or	For the purposes of this section, the public shall be defined as including all persons customers or clients who are provided services in person on the premises during a														ns shall
		similar office providing	be discretionary follow-up visits by customers or clients with regard to services alr etc.), and the like. Office uses under this section shall advertise their on-premises									ons, ser	vice conti	ractors (d	lelivery,	maintena	ince,
		services predominantly by appointment to the	eter, and the like. Office uses under this section shall devertise their on premises	sei vices us	being av	anabic to	the Ben	crai pabi	ic omy b	у арропп	cinciic.						
		public in person on the															
		premises.															
	3.358.2	Administrative business		N	N	SP	N	N	SPR	SPR	SPR	SPR	SPR	SPR	SPR	SPR	N
	3.330.2	office or similar business	For the common of the constitute the contribute the Hard Constitution of the contribution of														.,
		or professional office not providing services to the	For the purposes of these sections, the public shall be defined as including all pers contractors (delivery, maintenance, etc.), and the like. No office use under this se	-													tised as
		general public in person	being available exclusively by telephone, mail, on-line, or other remote means.														
		on the premises.	[For Sections 3.358.1 and 3.358.2, inclusive]														

Bylaw	Land Use		Standard - 0			R-O						Zo	ning Dist	ricts					
Number	Classifications		Standards & Conditions			R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			In the B-N District	, there shall be no more th	nan six (6) employees on-site at any	given time, ar	nd the es	tablishme	ent shall	be closed	d by 7:00	p.m.							<u> </u>
			under these section under this section	ons is located on a propert and the nearest residentia	is shall be located on parcels served cy adjoining a residential district, a m al property boundaries. When the S buffer of up to 100 feet in width ma	ninimum 50-fo pecial Permit	oot unint Grantin	errupted g Authorit	vegetate ty or Per	ed buffer mit Gran	shall be e ting Boar	establish d deterr	ned and r	naintaine	ed betwe	en buildi	ngs asso	ciated wit	h uses
					peals may grant a Special Permit for ts the following conditions:	an office use	under Se	ections 3.3	358.1 or	3.358.2 p	oroviding	it finds t	that, in a	ddition to	o meeting	g the pro	visions o	f Article	7 and
			1.	Is located on the ground	d floor only, and occupies no more t	han 50 percer	nt of the	gross floo	or area o	of the stru	ucture, ex	clusive	of storag	e space.					
			2.	Shall be allowed only as	a second Principal use, where the f	irst Principal ι	use is a r	esidential	use.										
			3.	Shares a property line w	vith or is adjacent to another proper	ty with a simi	ilar use p	ermitted	under tl	his sectio	n or a pro	perty ir	n the B-L,	B-VC or	COM dist	ricts.			
			4.	Employs no more than 3	3 persons (for a Section 3.358.1 office	ce) or 5 perso	ns (Secti	on 3.358.	2) who v	vork on -s	site, othe	r than re	esidents	of the pro	operty.				
			5.	Where located in an exi	isting dwelling, the residential chara	cter of the str	ructure a	nd site sh	all be m	aintained	l.								
3.359	Medical or denta	l laboratory				N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	SPR	SPR	N
																		(SP)	
			In the B-N District	, there shall be no more th	nan six (6) employees on-site at any	given time, ar	nd the es	tablishme	ent shall	be closed	d by 7:00	p.m.							
3.360	Medical Uses																		
	3.360.0	Medical office				N	N	SP	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	SP	N
			See definition und	der Article 12. In the R-VC	District, a medical office shall be pe	rmitted only u	under a S	pecial Pe	rmit as p	oart of a r	mixed use	under :	Section 3	.325, and	d is not of	therwise	permitt	ed.	
			In the B-N District	, there shall be no more th	nan six (6) employees on-site at any	given time, ar	nd the es	tablishme	ent shall	be closed	d by 7:00	p.m.							
	3.360.1	Medical group practice				N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SPR	N	N	N
			See definition und	der Article 12. In the B-N D	District, there shall be no more than	eight (8) emp	loyees o	n-site at a	iny giver	n time, an	d the est	ablishm	ent shall	be close	d by 7:00	p.m.			
	3.360.2	Medical center				N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
			See definition und	der Article 12															
	3.360.3	Clinic or emergency care facility				N	N	N	N	N	SPR	SPR	SPR	N	SPR	SPR	N	N	N
			An outpatient pub	olic health clinic as defined	under Article 12.														
	3.360.40	Medical Marijuana Treatment	t Center (MMTC)			N	N	N	N	N	SP	SP*	SP	N	SP	SP	SP	N	N
		, , , , , , , , , , , , , , , , , , ,		those B-L Districts which co	o-occur with the R&D overlay distric	t. For other s	tandards		ditions s	ee Sectio	n 3.360.4								
			See definition und	der Article 12.															
	3.360.41	Off-Site Medical Marijuana Di	spensary (OMMD)																
		·	See definition und	der Article 12.		N	N	N	N	N	SP	SP	SP	N	SP	SP	SP	N	N

Bylaw	Land Use		R-O						Zor	ning Distr	icts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

1. Purposes. It is recognized that the nature of the substance cultivated, processed, and/or sold by medical marijuana treatment centers and off-site medical marijuana dispensaries may have objectionable operational characteristics and should be located in such a way as to ensure the health, safety, and general well-being of the public as well as patients seeking treatment. The specific and separate regulation of Registered Marijuana Dispensaries (RMDs) as Medical Marijuana Treatment Centers (MMTCs) and Off-site Medical Marijuana Dispensaries (OMMDs) facilities is necessary advance these purposes and ensure that such facilities are not located within close proximity of minors and do not become concentrated in any one area within the Town of Amherst.

Subject to the provisions of this Zoning Bylaw, Chapter 40A of the Massachusetts General Laws, and 105 CMR 725.000, MMTCs and OMMDs will be permitted to provide medical support, security, and physician oversight that meet or exceed state regulations as established by the Massachusetts Department of Health (DPH).

- 2. Application Requirements. Above and beyond the standard application requirements for Special Permits, an application for a use under this section shall include the following:
  - a) The name and address of each owner of the facility/operation;
  - b) Copies of all required RMD registrations issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the facility;
  - c) Evidence that the Applicant has site control and the right to use the site for a facility in the form of a deed or valid purchase and sale agreement, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;
  - d) A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons;
  - e) In addition to what is normally required in a site plan pursuant to Section 11.2, details showing all exterior proposed security measures for the premises, including lighting, fencing, gates and alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity.
  - f) A Management Plan as required under the Rules and Regulations of the Special Permit Granting Authority, including a description of all activities to occur on site, including all provisions for the delivery of medical marijuana and related products to OMMDs or off-site direct delivery to patients.
  - g) A traffic impact report as set forth in the Rules and Regulations of the Special Permit Granting Authority shall be developed and submitted with the application.
- 3. Regulations. The following regulations shall apply to uses under this section:
  - a. Use Regulations.
    - 1) Uses under this section may only be involved in the uses and activities permitted by its definition as limited by state law, and may not include other businesses or services in the same building.
    - No marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises.
    - 3) The hours of operation shall be set by the Special Permit Granting Authority, but in no event shall a facility be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.
  - b. Locational and Physical Requirements
    - 1) All aspects of a MMTC or OMMD relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a fully enclosed building and shall not be visible from the exterior of the business.
    - 2) No outside storage of marijuana, related supplies, or educational materials is permitted.
    - 3) No MMTC shall have a gross floor area in excess of 25,000 square feet.
    - 4) No OMMD facility shall have a gross floor area accessible to patients which is in excess of 2,500 square feet, except as may be permitted under 3., e., 1), c). Space in an OMMD facility which is dedicated to administration or operations and is accessible only to employees of the facility shall not be included in this limitation.
    - 5) Ventilation all facilities shall be ventilated in such a manner that:
      - a) No pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere; and
      - b) No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the MMTC or OMMD facility or at any adjoining use or property.

Bylaw	Land Use		R-O						Zor	ning Distr	icts					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC

6) A number of signs determined to be sufficient by the Special Permit Granting Authority shall be displayed on the exterior of the facility's entrance in plain sight of clients stating that "Registration Card Issued by the MA Department of Public Health Required" in text two inches in height.

### c. Reporting Requirements

- 1) All Special Permit holders for uses under this section shall provide the Police Department, Fire Department, Building Commissioner, Board of Health, and Special Permit Granting Authority with the names, phone numbers, mailing and email addresses of all management staff and key-holders, including a minimum of two (2) operators or managers of the facilities identified as designated contact persons to whom notice should be made if there are operating problems associated with any use under this section. All such contact information shall be updated as needed to keep it current and accurate.
- 2) The designated contact persons shall notify the Police Department, Fire Department, Building Commissioner, Board of Health, and Special Permit Granting Authority in writing:
  - a) A minimum of thirty (30) days prior to any change in ownership or management of a facility regulated under this section, and
  - b) A minimum of twelve (12) hours following a violation, a potential violation, or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities at a facility regulated under this section.
- 3) The designated representatives of permitted facilities shall file an annual report with the Special Permit Granting Authority and shall appear before said Authority to present the report no later than January 31<sup>st</sup> of each year, providing a copy of all current applicable state licenses for the owners and facilities, to demonstrate continued compliance with the conditions of the Special Permit.
- 4) The designated contact persons shall be required to respond by phone or email within twenty-four (24) hours of the time of contact and inquiry regarding operation of the facility by a town official to the telephone number or email address provided as the contact for the business.

#### d. Transfer/Discontinuance of Use

- 1) A Special Permit granted under this Section is non-transferable and shall have a term limited to the duration of the applicant's ownership of the premises as a MMTC or OMMD.
- 2) Any MMTC or OMMD permitted under this section shall be required to remove all material, plants equipment and other paraphernalia in compliance with 105 CMR 725.105 (J), (O) prior to expiration of its DPH Registration or immediately following revocation or voiding of its DPH Registration.

# e. Prohibitions.

- 1) The building(s) in which the proposed uses occur shall not be located:
  - a) Within three hundred (300) feet of any building:
    - i. containing another MMTC or OMMD: or
    - ii. in which is located a public or private elementary school, middle school, secondary school, preparatory school, licensed daycare center, or any other facility in which children commonly congregate in an organized ongoing formal basis; or
    - iii. owned by and operated as part of the campus of any private or public institution of higher learning, or
    - iv. housing a public library; or
    - v. any residential use, excepting a mixed-use building under s
  - b) Within, on the same lot as, or on a lot immediately adjacent to a licensed pharmacy; or
  - c) Within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.

    An exception shall be that the Special Permit Granting Authority may grant permission for palliative and therapeutic care uses in the same building in which an MMTC or OMMD is operated; or
  - d) Wiithin a building containing residential units, including transient housing or group housing such as hotels, motels, lodging houses, or dormitories.
- 2) The proposed use shall not display:
  - a) Off-premises signage; or
  - b) On-premises signage or other marketing on the exterior of the building or in any manner visible from a public way, which, in the opinion of the Special Permit Granting Authority, may promote or encourage:
    - i. The use or abuse of marijuana or other drugs for non-medical purposes; or
    - ii. The use or abuse of marijuana or other drugs by minors; or
    - iii. The active marketing or marijuana or other drugs for medicinal purposes.

Bylaw	Land Use	Standards &		R-O						Zoi	ning Dist	ricts					
Number	Classifications	Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
			iv. An exception shall be that the Special Permit	Granting A	uthority	shall not	prohibit	signage	which is	required	by the N	/IA Depar	tment of	f Public H	lealth.		
		-	In addition to the findings required under Section 10.38, and mee that the proposed use:	ting the pr	ovisions	of Article	es 7, 8, a	nd all oth	er applio	cable sec	tions of t	this Bylav	v, the Spe	ecial Peri	mit Gran	ting Auth	ority
		a.	Meets a demonstrated need.														
		b.	Meets all of the permitting requirements of all applicable ager regulations.	cies withir	the Con	nmonwe	alth of N	⁄lassachu	setts and	d will as p	proposed	l be in co	mpliance	with all	applicab	le state la	ws and
		c.	Is designed to minimize any adverse visual or economic impact	on abutte	ers and o	ther par	ties in in	terest.									
		d.	Provides a secure indoor waiting area for patients.														
		e.	Provides an adequate pick up/drop off area.														
		f.	Provides adequate security measures to ensure that no individu cultivation of marijuana is adequately secured in enclosed, lock			oose a di	rect thre	eat to the	health o	or safety	of other	individua	als, and tl	hat the s	torage ar	nd/or loc	ation of
		g.	Adequately addresses issues of vehicular and pedestrian traffic vehicular and pedestrian traffic on neighboring uses.	, circulatio	on, parkir	ng and qu	ueuing, e	especially	during p	eak perio	ods at th	e facility,	and ade	quately r	mitigates	the impa	acts of
3.361	Auction gallery for exhibition, sale by auction, so-called "tag sales" and so-called "flea markets".			N	N	N	N	N	N	SPR	N	N	SPR	N	SPR	N	N
3.362	Shop of a potter, ceramist, sculptor, silversmith, jeweler, lapidary, weaver, clockmaker, musical instrument maker, wood carver, graphic artist, leather worker (not including tanning or processing), candlemaker, or similar craftsperson.	All work and stor	age to be conducted within a building.	N	N	N	N	N	SPR	SPR	SPR	SPR	SPR	N	N	N	N
SECTION 3.3	7 RESEARCH AND INDUSTRIAL USES																
3.370	Warehouse or other enclosed building for the storage, distribution or wholesale marketing of material, merchandise, products or equipment.	Such use not to b	e hazardous by reason of potential fire, explosion, or radiation.	N	N	N	N	N	N	N	N	N	SPR	N	SPR	SPR	N
3.371	Lumber yard, fuel storage plant, contractor's yard, or other open-air establishment for the primary storage, distribution, or sale at			N	N	N	N	N	N	N	N	N	SP	N	SP	N	N
	wholesale or retail of merchandise, products or equipment.	Salvage materials	not included.														
		See Section 3.02															
3.372																	
	3.372.0 Research and Development or Testing facility			N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	N
		* In those areas of	the B-L District which coincide with the Research & Development (	R&D) over	lay distri	ct, Site P	lan Revi	ew appro	val shall	be requi	red for u	ises regul	lated und	der this s	ection. II	n all othe	r areas

<sup>\*</sup> In those areas of the B-L District which coincide with the Research & Development (R&D) overlay district, Site Plan Review approval shall be required for uses regulated under this section. In all other areas of the B-L District, a Special Permit shall be required from the Zoning Board of Appeals.

Uses under this section shall include research, development and/or testing of innovative information, concepts, methods, processes, materials, or products. This shall include but not be limited to activities conducted in laboratory settings. The accessory development, fabrication, and light manufacturing of prototypes, or specialized machinery and devices integral to research or testing may be associated with these uses under the provisions of Section 5.07.

aw	Land Use	Chandanda O	R-O						Zon	ing Distr	ricts					
mber	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	F
		In the B-G, B-L, B-VC, B-N and R-VC districts, the Zoning Board of Ag provisions of Section 3.359, Article 7 and Section 10.38. An excepti limited, shall be permitted through Site Plan Review approval.														
		In all zones, all outdoor storage of materials and equipment shall be odors that are a nuisance beyond the lot line, and further no opera Health, determines to be unduly hazardous by reasons of potential waste identified as toxic or hazardous, flammable, or explosive. Note that the applicable section of this bylatic process.	tions shall be permitted wl fire, explosion, radiation, o research or testing shall b	nich the Pe or chemica	ermit Gra al or biol	anting Bo ogical haz	ard or S zard, inc	pecial Per luding haz	mit Gra zards re:	inting Au sulting fr	thority, a	after con use, proc	sultatior luction o	n with the or storage	e Board of e of mater	
	3.372.1 Publishing, data processing, light manufacturing, light assembly including computer hardware and		N	N	SP	N	N	SP	SP SPR*	SP	SP	SPR	SPR	SPR	SPR	
	software, and scientific products with associated	* In those areas of the B-L District which coincide with the Research of the B-L District, a Special Permit shall be required from the Zonin		lay distric	t, Site Pla	an Reviev	v approv	al shall be	e requir	ed for us	ses regul	ated und	er this se	ection. Ir	n all other	ar
	offices and distribution facilities.	Uses under this section shall include those which involve the limite processing, fabrication, assembly, treatment, and packaging of sucl production within enclosed structures of custom goods fabricated	n products as well as incide	ntal stora	ge and d	istributio	n of suc	h products	s and as	ssociated	d offices.					-si
		No mass manufacturing, processing, or fabrication normally condu- the on-premises sale of custom-made goods produced by hand ma applicable section of the Bylaw.					•									oʻ
		the on-premises sale of custom-made goods produced by hand ma	al Permit for a use under the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exardous, flammable, flammable, flammable, flammable, or exardous, flammable, fl	nis section equipment d further, reason of	a Specia , provide t shall be no opera potentia	I Permit ged that the screened ations sha	e proposed from pall be peoplesion,	sed use coublic view rmitted wradiation,	onsists on the consists of the	rmit Grai only of of public wa e Permit mical or I	nting Aut ffices or a ays and a Granting biologica	thority and similar use abutting of Board colored and the same and the	ses and residenti residenti r Specia resulting	d to act u meets the ial distric Il Permit ( g from th	e provision ts. No ope Granting e use,	ns
	3.372.2 Manufacturing, assembly	the on-premises sale of custom-made goods produced by hand ma applicable section of the Bylaw.  In the R-VC District, the Zoning Board of Appeals may grant a Speci. Sections 3.359, Article 7 and Section 10.38. In all zones, all outdoor shall create noise, vibration, dust, fumes, or odors, that are a nuisa Authority, after consultation with the Board of Health, determines production or storage of materials or waste identified as toxic or h.	al Permit for a use under the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exardous, flammable, flammable, flammable, flammable, or exardous, flammable, fl	nis section equipment d further, reason of	a Specia , provide t shall be no opera potentia	I Permit ged that the screened ations sha	e proposed from pall be peoplesion,	sed use coublic view rmitted wradiation,	onsists on the consists of the	rmit Grai only of of public wa e Permit mical or I	nting Aut ffices or a ays and a Granting biologica	thority and similar use abutting of Board colored and the same and the	ses and residenti residenti r Specia resulting	d to act u meets the ial distric Il Permit ( g from th	e provision ts. No ope Granting e use,	ns (
	3.372.2 Manufacturing, assembly and processing, including associated offices and distribution facilities.	the on-premises sale of custom-made goods produced by hand ma applicable section of the Bylaw.  In the R-VC District, the Zoning Board of Appeals may grant a Speci. Sections 3.359, Article 7 and Section 10.38. In all zones, all outdoor shall create noise, vibration, dust, fumes, or odors, that are a nuisa Authority, after consultation with the Board of Health, determines production or storage of materials or waste identified as toxic or h.	al Permit for a use under the storage of materials and ence beyond the lot line, and to be unduly hazardous by azardous, flammable, or expense.  N  re, assembly and/or proceetment, and packaging of cor hazardous, flammable, or hazardous, flammable, or cor hazardous, flammable, or cor hazardous, flammable, or cor hazardous, flammable, or hazardous, flammable,	nis section equipment d further, reason of plosive. V  N  ssing, fron such proc or explos	a Specia , provide t shall be no opera potentia Where pe  N n extract ducts, as sive mate	I Permit good that the screened ations shall fire, expermitted,  N  ed or raw well as invitals under the screened at the scree	e proposed from pall be peolosion, all opers	sed use coublic view rmitted w radiation, ations invo	onsists ov, from phich the coloring so N  m previous of the coloring so the co	only of of public was e Permit mical or luch mate	nting Aud ffices or ays and a Granting biologica erials sha  N epared m of such p nditions,	similar usabutting ig Board cal hazard all be con	ses and residenti residenti respecia resulting ducted i N of finish and asso	meets the ial district. I Permit of grom the in a fully of SP  ed mater occiated or	e provision ts. No ope Granting e use, enclosed b	ns era
	and processing, including associated offices and	the on-premises sale of custom-made goods produced by hand ma applicable section of the Bylaw.  In the R-VC District, the Zoning Board of Appeals may grant a Speci. Sections 3.359, Article 7 and Section 10.38. In all zones, all outdoor shall create noise, vibration, dust, fumes, or odors, that are a nuisa Authority, after consultation with the Board of Health, determines production or storage of materials or waste identified as toxic or him accordance with all applicable public health and safety regulation.  Uses under this section shall include those involving the manufacture parts. These uses may include processing, fabrication, assembly, truses may involve the production and/or storage of volumes of toxic.	al Permit for a use under the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exact of the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exact of the storage of the storage of the storage of materials and packaging of cor hazardous, flammable, premises sale of products are screened from public view ations shall be permitted wordduction, or storage of materials.	nis section equipment d further, reason of plosive. V  N  ssing, fron such proc or explos shall not b  w, from pu hich the l aterials or	a Specia  , provide t shall be no opera potentia Where pe  N n extract ducts, as ive mate be permit  ublic way Permit G r waste ic	I Permit and the street of the	e proposed of from pall be peoplosion, all operations of the peoplosion of the peopl	sed use coublic view rmitted w radiation, ations involved in the second of the second	ecial Per  ponsists c v, from p v, hich the	only of of public was e Permit mical or huch mate no sand cornider this.	ffices or ays and a Granting biologica erials shall be pared m of such productions, a section.	similar usabutting ig Board call hazard all be con Naterials, products as deter.	ses and residential residential resolution of special resulting ducted in the second s	meets the ial district I Permit Growth I Permi	e provision ts. No ope Granting e use, enclosed b  SP  rials, produ ffices. The cial Permi	uci ese t
3	and processing, including associated offices and	the on-premises sale of custom-made goods produced by hand ma applicable section of the Bylaw.  In the R-VC District, the Zoning Board of Appeals may grant a Speci. Sections 3.359, Article 7 and Section 10.38. In all zones, all outdoor shall create noise, vibration, dust, fumes, or odors, that are a nuisa Authority, after consultation with the Board of Health, determines production or storage of materials or waste identified as toxic or him accordance with all applicable public health and safety regulation.  Uses under this section shall include those involving the manufacture parts. These uses may include processing, fabrication, assembly, truses may involve the production and/or storage of volumes of toxic Granting Authority under the requirements of this section. The one In all zones, all outdoor storage of materials and equipment shall be odors, that are a nuisance beyond the lot line, and further, no oper radiation, or chemical or biological hazard resulting from the use, parts.	al Permit for a use under the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exact of the storage of materials and a nee beyond the lot line, and to be unduly hazardous by azardous, flammable, or exact of the storage of the storage of the storage of materials and packaging of cor hazardous, flammable, premises sale of products are screened from public view ations shall be permitted wordduction, or storage of materials.	nis section equipment d further, reason of plosive. V  N  ssing, fron such proc or explos shall not b  w, from pu hich the l aterials or	a Specia  , provide t shall be no opera potentia Where pe  N n extract ducts, as ive mate be permit  ublic way Permit G r waste ic	I Permit and the street of the	e proposed of from pall be peoplosion, all operations of the peoplosion of the peopl	sed use coublic view rmitted w radiation, ations involved in the second of the second	ecial Per  ponsists c v, from p v, hich the	only of of public was e Permit mical or huch mate no sand cornider this.	ffices or ays and a Granting biologica erials shall be pared m of such productions, a section.	similar usabutting ig Board call hazard all be con Naterials, products as deter.	ses and residential residential resolution of special resulting ducted in the second s	meets the ial district I Permit Growth I Permi	e provision ts. No ope Granting e use, enclosed b  SP  rials, produ ffices. The cial Permi	uct ese t

No excavation shall be permitted below the grade of a road bounding the property at any point nearer than 300' to such road.

1.

Bylaw	Land Use			R-O						Zoi	ning Dist	ricts					
Number	Classifications	Standards & Conditions		R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		2.	No excavation below the natural grade of any property boundary	ry shall be	permitte	ed neare	r than fi	fty feet to	such bo	undary.							
		3.	No slope created by the removal operation shall be finished at	a grade in	excess o	f the nat	ural ang	le of repo	se of the	e materia	ıl.						
		4.	All excavated areas shall, upon completion of the operation, be	covered	with not l	ess than	four inc	ches of lo	am; brou	ght to th	e finish g	grade and	seeded	in a satis	factory r	nanner.	
		5.	Within the Flood-Prone Conservancy (FPC) District excavation of natural flow pattern or reduce the flood storage capacity of a s		oducts sh	nall be pr	rohibited	d if such e	excavatio	n will low	er the le	evel of th	e water t	able or v	vill inter	ere with	the
		6.	No permit for earth products removal shall be issued if such re normal use of adjacent property by reason of noise, dust, or vil			-	-										
		7.	A Special Permit for any earth products removal may be issued discretion may grant one or more extensions of said permit, ea							on reapp	lication	for a peri	mit, the Z	oning Bo	ard of A	ppeals, a	ıt its
		8.	In approving the issuance of such permit, the Zoning Board of A seeding and planting, fencing necessary for public safety, meth drainage and disposition of waste incident to the operation.					•				•			,		0,
		9.	The Board may require suitable bond or other security adequate	te to assur	e compli	ance wit	h the pro	ovisions c	of this sec	ction.							
3.374	Processing of earth in connection			SP	SP	N	N	N	N	N	N	N	N	N	SP	N	SP
	with its authorized removal.			(N)	(N)												
		Such processing sl	hall be clearly secondary to the removal of earth products. It shall	l not invol	ve impor	tation of	f significa	ant quant	ities of n	naterials	from off	the pren	nises.				
3.375	Radioactive waste storage and disposal			N	N	N	N	N	N	N	N	N	N	N	SP	N	N
		No burial, incinera Board of Appeals.	ation, storage disposal of low-level radioactive wastes, transuranion	wastes o	r high lev	el radioa	active wa	astes to b	e permit	ted unles	ss a Spec	ial Permi	t is grant	ed for th	is purpo	se by the	Zoning
SECTION 3.38	8 MOTOR VEHICLE RELATED USES																
3.380	Automobile & truck rental			N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
3.381	Automotive filling station, including sales of related products and			N	N	N	N	N	SP	SP	SP	N	SPR	N	N	N	N
	services.	Limited to minor r	repairs, unless conducted within the building.														
3.382	Automotive salvage yard for the			N	N	N	N	N	N	N	N	N	SP	N	N	N	N
	dismantling, storage and sale of parts for automobiles and light trucks.	disposed of in a m	ed of landscaping, natural vegetation, fencing or a combination of nanner specified by the Zoning Board of Appeals. The Zoning Boar be such as to confine disturbing smoke, fumes, dust, glare and noi	d of Appe	als shall c	onsult th											
3.383	Car wash			N	N	N	N	N	N	N	N	N	SPR	N	N	N	N
3.384	Parking facilities																
	3.3840 Commercial parking lot or parking garage			N	N	N	N	N	SP	SP	SP	N	SP	N	N	N	N
	3.3841 Public parking lot or garage			N	N	N	N	N	SPR	SPR	SPR	SP	SPR	SP	SP	SP	N
	Establishment for repair of motor			N	N	N	N	N	SP	SP	SP	N	SPR	N	N	N	N

Bylaw	Land Use		R-O						<u>Zor</u>	ning Distr	<u>icts</u>					
Number	Classifications	Standards & Conditions	R-LD	R-N	R-VC	R-G	R-F	B-G	B-L	B-VC	B-N	сом	OP	LI	PRP	FPC
		Not to include sale of fuel. Limited to minor repairs, unless conducted within the b	uilding.													
3.386	Motor vehicle sales, including trucks, boats, and farm equipment.		N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
		For the display and sale of such vehicles including warranty work and other repair a	nd service	conduct	ed as an a	accessor	y use.									
3.387	Sale of auto parts, excluding installation and repair services.		N	N	N	N	N	SPR	SPR	SPR	SP	SPR	N	N	N	N
		Inside sales only. In the B-N District, there shall be no more than four (4) employee	s on-site a	t any tim	e, and th	e establi	shment s	hall be c	losed by	9:00 p.m						
3.388	Sales of auto parts, including tires, batteries, mufflers, and the installation and service thereof.		N	N	N	N	N	SP	SP	N	N	SPR	N	N	N	N
		Inside sales only.														
3.389	Truck terminal		N	N	N	N	N	N	N	N	N	SP	N	SP	N	N